

CITY UTILITIES COMMITTEE

MINUTES

JUNE 12, 2007

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, June 12, 2007 at 9:15 a.m.**, in Committee Room #2. The following members were present:

The Honorable Carla Smith, Chair
The Honorable Ceasar C. Mitchell, Vice-Chair
The Honorable Howard Shook
The Honorable Clair Muller
The Honorable Natalyn M. Archibong
The Honorable Ivory L. Young, Jr.

Others present at the meeting were: Councilmember Felicia A. Moore; Stefanie Grant, Renee Sheperd and Marc Goncher, Law Department; Robert Hunter, Commissioner, Deputy Commissioners Shelia Pierce, George Barnes and Joseph Basista, Susan Rutherford, Department of Watershed Management; Nursef Kedir, Department of Public Works; Cathy Martin, Office of Procurement; members of the public, press and Council Staff.

Chairwoman Smith called the meeting to order at 9:15 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD ADDENDUM AGENDA**
- B. APPROVAL OF MINUTES - APPROVED**
- C. COMMENTS FROM THE PUBLIC**
- D. PUBLIC HEARINGS - ORDINANCES FOR SECOND READING**

07-O-1075 (1) An Ordinance by City Utilities Committee to **abandon** a portion of Bolton Place, NW located between Bolton Drive and Marietta Boulevard and a portion of Bolton Drive, NW, between the Dead End of Bolton Drive to approximately 306.76 feet west of Bolton Place, lying in Land Lot 221, Council District 9, Fulton County, Georgia, consisting of approximately 1.47 acres and being more specifically described in the attached exhibit "A"; and for other purposes.
(Public Hearing held 6/12/07)
(Councilmember Shook made a motion to approve.)

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PUBLIC HEARINGS (CONT'D)

- 07-O-1108 (2) An Ordinance by Councilmember Clair Muller authorizing the Mayor or her designee to rename Bishop Street, NW in the City of Atlanta to 17th Street, NW and to waive Section 138-8 (b) 4 (a); and for other purposes. **(Public Hearing held 6/12/07)**
(Councilmember Muller made a motion to approve.)

FAVORABLE

E. ORDINANCES FOR SECOND READING

- 07-O-1235 (1) An Ordinance by Councilmember Carla Smith authorizing the Mayor of her designee to waive the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, to provide that a certain Subdivision SD-04-70 (368 Schoen Street) applicant deposit a dollar amount (\$4,170.00) equal to the value of the required sidewalk construction into a designated Trust Fund Account for District 1; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE

- 07-O-1242 (2) An Ordinance by Councilmember Howard Shook to **abandon** certain right-of-way located between Lenox Road and Georgia 400 shown on the City's map as West Road and certain right-of-way which came into the possession of the City by Quitclaim Deed from the Georgia Department of Transportation, as those parcels are more specifically described in the attached Exhibit "A"; and for other purposes.
(Councilmember Smith made a motion to approve.)

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F. RESOLUTIONS

- 07-R-1211 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 1 with A & D Painting, Inc., for FC-6005007917, Annual Contract for painting and pressure washing services on behalf of the Department of Watershed Management in an amount not to exceed \$700,000.00; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J01 (Water & Wastewater Revenue Fund) 523001 (Service/Repair /Maintenance Contract) Q64001 (Plant Maintenance); and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 07-R-1212 (2) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** with Jacobs/PRAD/PBS & J, Joint Venture, for FC-7619-03D, Annual Contract for Architectural and Engineering Services, for Homeland Security Awareness and Security Training Video, in an amount not to exceed \$49,487.60; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Professional Services) Q12001 (Watershed Security); and for other purposes.
(Councilmember Shook made a motion to hold.)

HELD

- 07-R-1213 (3) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Site Engineering/Imani Environmental Group, Inc., for FC-3007000001, Sewer Rehabilitation, Group 1 Phase II-Contract C – Pipebursting on behalf of the Department of Watershed Management, in an amount not to exceed \$6,164,861.00; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water and Wastewater Renewal & Extension Fund) 574001 (Facilities other than Buildings) Q38I027394DA (Sewer Group 1 – Rehabilitation); and for other purposes.
(Councilmember Smith made a motion to approve.)

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RESOLUTIONS (CONT'D)

07-R-1214 (4) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Jacobs/PRAD/PBS & J, Joint Venture, for FC-7619-03D, Annual Contract for Architectural and Engineering Services, White Paper Study for the Policy Level Analysis of Security Options for Drinking Water Assets, in an amount not to exceed \$48,250.48; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Professional Services) Q12001 (Watershed Security); and for other purposes.

(Councilmember Shook made a motion to hold.)

HELD

07-R-1215 (5) A Resolution by City Utilities Committee authorizing the Mayor to enter into a Renewal Agreement No. 1 with Southeast Pipe Survey, Inc., for FC-3006007907, Annual Contract for Small Diameter Sewer Improvements – Pipebursting, on behalf of the Department of Watershed Management for an amount not to exceed \$9,700,452.80; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J21 (Water and Wastewater Renewal and Extension Fund) 574001 (Facilities other than Buildings) Q38I029894DA (Sewer Group Two Rehabilitation Projects); and for other purposes.

(Councilmember Shook made a motion to approve.)

FAVORABLE

07-R-1217 (6) A Resolution by City Utilities Committee authorizing the authorizing the Mayor to enter into an agreement with Insituform Technologies, Inc./Imani Environmental Group, Inc., Joint Venture, for FC-3007000000, Sewer Rehabilitation, Group 1 Phase II-Contract C – Cured-In-Place on behalf of the Department of Watershed Management, in an amount not to exceed \$6,188,698.70; all contracted work will be charged to and paid from Fund, Account Center Number: 2J21 (Water and Wastewater Renewal & Extension Fund) 574001 (Facilities other than Buildings) Q38I027394DA (Sewer Group 1 – Rehabilitation); and for other purposes.

(Councilmember Shook made a motion to approve.)

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RESOLUTIONS (CONT'D)

07-R-1236 (7) A Resolution by Councilmember Carla Smith authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$ _____ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards _____ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.

(Councilmember Shook made a motion to hold.)

HELD

07-R-1238 (8) A Resolution by Councilmember Clair Muller authorizing the Mayor, on behalf of the Department of Public Works, to enter into Tie-Back Easement Agreement, with Brookwood Development, LLC., for the construction and operation of a Temporary Tie-Back Support System; and for other purposes.

(Councilmember Muller made a motion to approve.)

FAVORABLE

G. PAPERS HELD IN COMMITTEE

06-O-0306 (1) An Ordinance by City Utilities Committee amending the 2006 (1994 G. O. Bond Referendum Fund) Budget by transferring from and to appropriations in the amount of \$852,361.11 to fund the Paving Management and Improvement Program; and for other purposes. **(Held 2/14/06 at the request of Councilmember Muller)**

HELD

06-R-0563 (2) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor to enter into an Agreement with Brock Built, LLC providing for the non-standard location of water meters on private property to which the city provides water services; and for other purposes. **(Referred back by Council 3/6/06) (Held 3/14/06 at the request of the Department of Watershed Management so that developer can address the private property concerns)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-0937 (3) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled "***Riparian Buffer Requirements***"; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management)**

HELD

- 06-O-1454 (4) An Ordinance by Councilmember Clair Muller **as amended by City Utilities Committee** to amend Chapter 130 Solid Waste Management, Section 130-84, Rates and Charges, to limit such rate to apply to lots with a residence; and for the other purposes. **(Amended and held 6/27/06 at the request of the author)**

HELD

- 06-O-1573 (5) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or her designee to enter into an Agreement between Hilton Atlanta and the Atlanta Marriott Marquis and the City of Atlanta for the erection of a bridge in accordance with Section 138-25(b) of the City of Atlanta's Code of Ordinances; and for other purposes. **(Held 7/11/06 for further discussions)**

HELD

- 06-O-1947 (6) An Ordinance by City Utilities Committee to amend Sections 138-25 and 138-26 of the Official Code of Ordinances of the City of Atlanta, Georgia, to authorize the Commissioner of Public Works to determine the monthly rental rates for the air space or subsurface space occupied by bridges, tunnels of similar structures across streets or alleys and balconies over sidewalks of the City of Atlanta; and for other purposes. **(Held 9/18/06 at the request of the Law Department)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-0002 (7) A Resolution by City Utilities Committee authorizing the Mayor to enter into a Maintenance Agreement with the Georgia Department of Transportation to convert a section of Bolton Road, Fulton Industrial Boulevard and Harwell Road to temporary State Route for Bridge Improvements; and for other purposes. **(Held 1/9/07 for further review)**

HELD

- (8) Appraisal of the **abandoned** portion of Lakeside Drive, NE, consisting of 19.50 acres proposed assemblage tract or \$1,300,000.00 per acre, or \$29.84 per square foot. **(Held 1/9/07 for further review)**

HELD

- 07-R-0750 (9) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Players & Company, for FC-6006007947, Annual Contract for Major Mechanical Services for the Bureau of Wastewater Treatment and Collections, on behalf of the Department of Watershed Management, in an amount not to exceed \$122,280.00; all contracted work will be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes. **(Held 5/1/07 at the request of the Department)**

HELD

- 07-O-0979 (10) An Ordinance by Councilmember Kwanza Hall to **abandon** a portion of Fair Street, SW located between Peters Street and the Railroad right-of-way consisting of 0.093 acre more or less, and being more specifically described as Tract "1" in the attached Exhibit "A" lying and being in Land Lot 84 of the 14th District, Fulton County, Georgia; and for other purposes. **(Held 5/15/07 for a Public Hearing) (To be advertised for a Public Hearing)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-0980 (11) An Ordinance by Councilmember Kwanza Hall to **abandon** a portion of Castleberry Street, SW located between Peters Street and the Railroad right-of-way consisting of 0.115 acre more or less, and being more specifically described as Tract "4" in the attached Exhibit "A" lying and being in Land Lot 84 of the 14th District, Fulton County, Georgia; and for other purposes. **(Held 5/15/07 for a Public Hearing) (To be advertised for a Public Hearing)**

HELD

- 07-O-0956 (12) A **Substitute** Ordinance by City Utilities Committee **as amended** to repeal Section 154-73, Chapter 154, Article III, Division 1, Water, of the City of Atlanta Code of Ordinances; and to establish comprehensive water use restrictions, authorize the Mayor or her designee to set outdoor water use restrictions based upon drought response levels declared by the Director of the Environmental Protection Division, Department of Natural Resources, State of Georgia; to provide for additional water use restrictions during emergency conditions, repairs and water shortages, to establish provisions for adequate enforcement of outdoor water use schedules and other water use restrictions during emergency conditions, repairs and water shortages; and for other purposes. **(Work session held 6/6/07)**
(Councilmember Young made a motion to approve on substitute as amended.)

FAVORABLE ON SUBSTITUTE AS AMENDED

H. REQUESTED ITEMS

1. Councilmember Muller requested the Department of Watershed Management present to the committee a discussion on storm water at a later date.
 2. Councilmember Muller made a request to the Department of Finance and Department of Public Works to present to the Committee a status report on the 1994 G. O. Bond Projects.
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REQUESTED ITEMS (CONT'D)

3. Councilmember Mitchell made a request to the Department of Watershed to receive a map of the floodplain areas for all Council District.

I. ITEMS NOT ON AGENDA

RESOLUTIONS

- 07-R-1246 (1) A Resolution by City Utilities Committee authorizing the Mayor to apply for and accept a grant from the Federal Emergency Management Agency (FEMA), for taking actions to elevate above the One Hundred (100) Year Floodplain fifteen (15) residential structures with repetitive losses due to flooding events in the area of Peachtree Creek in an amount not to exceed \$1,634,372.66; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE (1 NAY) ARCHIBONG

- 07-R-1247 (2) A Resolution by City Utilities Committee authorizing the Mayor to apply for and accept a grant from the Federal Emergency Management Agency (FEMA), Mitigation Assistance Program, related to the acquisition of three (3) residential structures with repetitive losses due to flooding events in the area of Nancy, Utoy and Peachtree Creeks in an amount not to exceed \$1,076,772.00; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE (1 NAY) ARCHIBONG

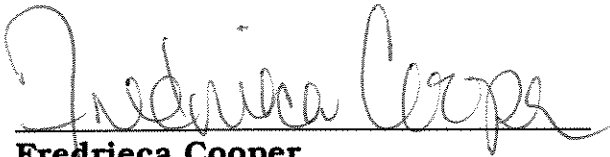
- 07-R-1248 (3) A Resolution by City Utilities Committee authorizing the Mayor to apply for and accept a grant from the Federal Emergency Management Agency (FEMA), Mitigation Assistance Program, for taking actions to elevate above the One Hundred (100) Year Floodplain two (2) Residential Structures with repetitive losses due to flooding events in the area of Peachtree Creek in an amount not to exceed \$194,708.40; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE (1 NAY) ARCHIBONG

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There being no further business to come before the Committee, the meeting was adjourned at 12:27 p.m.

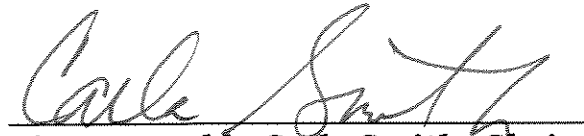
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Carla Smith, Chair
City Utilities Committee**